



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2

290 BROADWAY
NEW YORK, NY 10007-1866

APR 14 2016

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Mr. Richard S. Mills
500 7TH Avenue, 15TH Floor
New York, NY 11743

7015 0640 0001 0675 5296

RE: Freedom of Information Act ("FOIA") Request: EPA-R2-2016-003430

Dear Mr. Mills:

This letter is in response to your above referenced FOIA Request in which you requested records submitted to the U.S. Environmental Protection Agency ("EPA") concerning Covanta Holding's response to EPA's information request in 2015. You received an email notification from EPA that some of the documents responsive to your request are available on the FOIA Online website at: <https://foiaonline.regulations.gov/foia/action/public/home>.

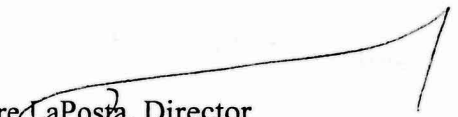
I have determined that the rest of the requested records have been claimed confidential and may contain trade secrets or commercial or financial information which is exempt from disclosure under 5 U.S.C. 552(b)(4). Pursuant to 40 C.F.R. 2.204(d)(1), your request is being initially denied because further inquiry by EPA is required before a final determination can be made. We will consult with the third party in connection with their business confidentiality claims covering these records and the EPA Region 2 legal office will issue a final confidentiality determination.

As noted above, the information withheld under Exemption 4 will be sent to the appropriate legal office to issue a final confidentiality determination. Therefore, you do not need to appeal the information withheld pursuant to Exemption 4. Once the legal office issues a final confidentiality determination, EPA will notify you whether the information qualifies for confidential treatment or may be released. To the extent that you would like to appeal any other issue, including any non-Exemption 4 withholdings, you may appeal this partial denial response to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, D.C. 20460 (U.S. Postal Service Only), Email: hg.foia@epa.gov. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, N.W. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, D.C. 20004. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should clearly identify the determination being appealed, including the assigned FOIA request number shown

above. For quickest possible handling, the appeal letter and its envelope should be marked
"Freedom of Information Act Appeal."

If you have further questions regarding this matter, please contact Robert Buettner, Chief,
Air Compliance Branch, at (212) 637-5031.

Sincerely,




Dore LaPosta, Director
Division of Enforcement and Compliance Assistant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT ON April 18, 2016, I MAILED A TRUE COPY OF THE ATTACHED DOCUMENT BY CERTIFIED MAIL-RETURN RECEIPT REQUESTED, ARTICLE NUMBERS 7015-0640-0001-0675-5296 POSTAGE PRE-PAID, UPON THE FOLLOWING PERSON(S):

**Mr. Richard S. Mills
500 7th Avenue, 15th Floor
New York, New York 11743**


Geraldo Villaran

